

RECEIVED  
SUPREME COURT  
STATE OF WASHINGTON  
Apr 30, 2015, 11:21 am  
BY RONALD R. CARPENTER  
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*mc*

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THE SUPREME COURT OF WASHINGTON

In re:

JOHN DAVID FERRELL

An Attorney At Law:

BAR NO. 28922

Supreme Court No.  
201,400-3

ANSWER TO  
ORDER TOSHOW CAUSE

I Declare:

I wish to have a hearing on this matter at the time and date set by the Court.

I admit that I have not provided all documentation that has been requested by the Washington State Bar Association.

In a Disciplinary Action previous to this matter, ODC File No. 14-00220, the WSBA had submitted its concerns relating to my trust account to its Disciplinary Board. The Bar had also submitted to its Board a copy of the deposition transcripts that you are now considering.

On January 23, 2015, the Disciplinary Board dismissed the Bar's complaint and



ORIGINAL

1 issued an Advisory Letter regarding my conduct and the operation of my Trust Account.

2 A copy of the opinion is attached.

3  
4 I had believed that all concerns relating to my Trust Account had been considered  
5 by the Washington State Bar Association and had been dismissed with an Advisory  
6 Letter.

7 I am now in the process of collecting my records.

8 Please be aware that I am also receiving treatment through the Department of  
9 Veterans Affairs' Post-Traumatic Stress Disorder Program, related to my military service  
10 in Iraq.

11  
12 I declare under penalty of perjury under the laws of the state of Washington that the  
13 foregoing is true and correct.

14 

15 \_\_\_\_\_  
16 John D. Ferrell, WSBA #28922

17 Dated April 30, 2015

1  
2  
3 DISCIPLINARY BOARD  
4 WASHINGTON STATE BAR ASSOCIATION

5 In re

6 JOHN DAVID FERRELL,  
7 Lawyer (Bar No. 28922)

ODC File No. 14-00220

REVIEW COMMITTEE ORDER

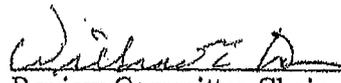
DISMISSAL WITH ADVISORY  
LETTER

10 The Review Committee considered materials submitted by the grievant,  
11 respondent and disciplinary counsel, and the applicable rules, statutes and caselaw:

12  
13 **ORDER**

14 The Review Committee orders dismissal of this grievance and issues an advisory  
15 letter to the respondent. This advisory letter cautions John Ferrell about his  
16 conduct. The advisory letter is not public and is not provided to the grievant. This  
17 order is not appealable.

18 Dated this 23<sup>rd</sup> day of January, 2015.

19  
20   
21 Review Committee Chairperson

22 Mailed on 7/16/15 to:

23 ~~Respondent~~/Respondent's Counsel: Kurt M. Bulmer

24 Grievant/~~Grievant's Counsel~~: Randolph A. Hernandez

25  
26 Advisory Letters are explained in Rule 5.8 of the Rules for Enforcement of Lawyer Conduct.

The vote was: 3-0.

27 The following Review Committee members voted: David [unclear], Cory [unclear], [unclear]

Review Committee Order  
Dismissal with Advisory Letter

**COPY**

WASHINGTON STATE BAR ASSOCIATION

1325 4<sup>th</sup> Avenue, Suite 600

Seattle, WA 98101-2539

(206) 727-8207



**WSBA**  
**DISCIPLINARY BOARD**

January 23, 2015

**PERSONAL AND CONFIDENTIAL**

John D. Ferrell  
John D. Ferrell, PLLC  
PO Box 1357  
Gig Harbor, WA 98335-3357

**ADVISORY LETTER**

Re: Disciplinary Counsel File Number 14-00220

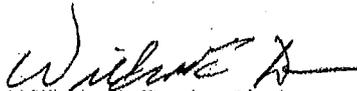
Dear Mr. Ferrell:

Randolph Hernandez filed a grievance in February of 2014 alleging lack of communication and inaction in your representation of him in a family law matter. You failed to timely and fully cooperate with disciplinary counsel's subsequent investigation, which led to your deposition. You testified that you received Mr. Hernandez' \$2,000 fee in 2012, but did not maintain a client trust account until approximately summer of 2013. In June of 2014, after you learned of miscommunication with Mr. Hernandez as to the reasons for your inaction, you offered to fully refund his \$2,000 fee, meet with him, and continue your representation of him for free going forward. In August of 2014, Mr. Hernandez accepted your offer. The members of Review Committee I of the WSBA Disciplinary Board voted unanimously that this grievance should be dismissed and that you should receive this advisory letter to caution you about your conduct.

This Review Committee is very concerned that you did not maintain a trust account until approximately summer of 2013. Please carefully review your duties under RPC 1.15A and other relevant rules discussed in the WSBA publication, "Managing Client Trust Accounts: Rules, Regulations, and Common Sense." We also caution you to always fully and timely cooperate with disciplinary counsel investigations, to exercise greater diligence with client communications, and to carefully review your obligations under RPC 1.3, 1.4, 3.2, ELC 5.3(f) and RPC 8.4. This Review Committee considered these matters seriously, and we encourage you to please take any steps and measures needed to ensure complete future compliance.

Advisory letters are issued pursuant to ELC 5.8, when it appears appropriate to caution a respondent concerning his conduct. This letter is confidential and is not provided to the grievant. An advisory letter does not constitute a finding of misconduct, is not a sanction, is not a disciplinary action and is not public information.

Very truly yours,

  
William E. Davis, Chair  
Review Committee I

Cc: Kurt M. Bulmer

## OFFICE RECEPTIONIST, CLERK

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**To:** John Ferrell  
**Cc:** scottb@wsba.org  
**Subject:** RE: Answer - John Ferrell, SC No 201,400-3

Received 4-30-2015

Supreme Court Clerk's Office

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

**From:** John Ferrell [mailto:john@ferrell-law.net]  
**Sent:** Thursday, April 30, 2015 11:16 AM  
**To:** OFFICE RECEPTIONIST, CLERK  
**Cc:** scottb@wsba.org  
**Subject:** Answer - John Ferrell, SC No 201,400-3

Answer attached.

John D. Ferrell  
Attorney at Law  
P.O. Box 1357  
Gig Harbor, WA 98335  
Tel: 253.514.1450

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